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CENTRAL FAX CENTER**U.S. Serial No. 10/016,813
Docket No.: 65456-003**OCT 02 2006****PATENT****REMARKS**

Claims 3-37, 39-47, 75-94 (response dated 9/20/05) and claims 38, and 48-74 (response dated 2/13/06) were preliminarily withdrawn as being drawn to a non-elected restriction/species. No new claims have been added by this Amendment. Consequently, claims 1-2 remain pending.

Claim Rejections Under 35 U.S.C. § 102**Claims 1 and 2**

The Office Action rejected claims 1 and 2 as being anticipated by U.S. Patent No. 5,551,98 to Rayment (**Rayment**).

Applicant notes that, among other things, Rayment is directed to an apparatus for identifying rattles and squeaks occurring in a physical vehicle at a stationary test facility. Rayment discloses the build up of a set of stored data that indicates which noises occur at a given range of frequencies. Moreover, the data capture means associated with the starting/stopping of various rattles and squeaks to define associated frequency ranges is triggered by an operator sitting in the passenger compartment of the test vehicle.

Clearly, Rayment requires the use of a physical test model. Rayment does not disclose, teach or suggest the substitute use of an analytical model. Nor does Rayment disclose, teach or suggest the inclusion of a point selection subsystem and/or a point evaluation subsystem. In that regard, and among other distinctions, Rayment further does not teach or suggest the modification and/or enhancement of the associated stored data points relative to an original analytical model to predict noise source characteristics.

Withdrawal of the rejection as to claims 1 and 2 is therefore respectfully requested.

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Conclusion

In view of the above remarks, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

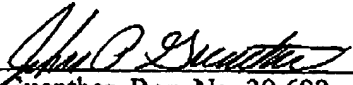
If the Examiner believes that a phone conference would expedite the prosecution of this case in any respect, the Examiner is earnestly requested to contact the undersigned.

Applicant believes that no fee is due beyond any fees identified in the accompanying request for extension of time. However, if any additional fee is due, please charge our Deposit Account 04-2223, under Order No. 65456-003, from which the undersigned is authorized to draw.

Respectfully submitted,

Date: October 2, 2006

By


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